

00-~~6~~-1185

CLAIM OF: Evan T. Cooper  
2360 Battle Court  
Marietta, GA 30064

For damages alleged to have been sustained as a result  
of a vehicular accident on November 17, 1999.

BY PUBLIC SAFETY AND LEGAL  
ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of  
Atlanta that the action of the Department of Law be  
approved in authorizing payment to EVAN T.  
COOPER the sum of \$721.51 in full settlement and  
satisfaction of all claims, past, present and future, of  
every kind and character for damages alleged to have  
been sustained as a result of a vehicular accident on  
November 17, 1999, is more particularly set forth  
in the within claim; said sum taken from and  
charged to account 1A01/529017/T31001,  
Settlement of Suits and Claims, Department of  
Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY: *Rosalind Rubens Newell*  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY

ADOPTED BY

AUG 07 2000

COUNCIL

AVC REPORT  
COM Public Safety

DATE 8/1/2000

CHIEF E. T. Martin

*[Signature]*

*[Signature]*

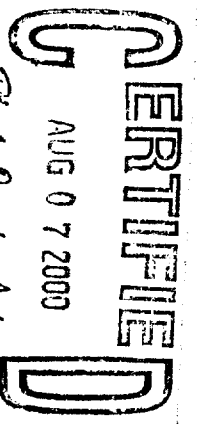
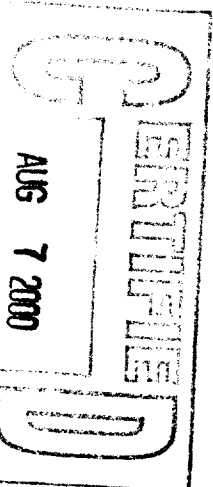
*[Signature]*

CONSENT AGENDA

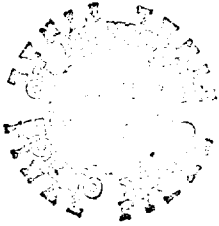
APPROVED

AUG 16 2000

WITHOUT SIGNATURE  
BY OPERATION OF LAW



*Rosalind Rubens Newell*  
MUNICIPAL CLERK



**MUNICIPAL CLERK  
ATLANTA, GEORGIA**

**00-R-1185**

**A RESOLUTION**

**BY PUBLIC SAFETY &  
LEGAL ADMINISTRATION COMMITTEE**

**BE IT RESOLVED BY** the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Evan T. Cooper** in the sum of **\$721.51** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a **vehicular accident on November 17, 1999** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

*Rhonda Daughkin Johnson*  
Municipal Clerk, CMC

**ADOPTED by the Council  
RETURNED WITHOUT SIGNATURE OF THE MAYOR  
APPROVED as per City Charter Section 2-403**

AUG 07, 2000

AUG 16, 2000

## DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0827

Date: 6/27/00

Claimant /Victim EVAN T. COOPER  
BY: (Atty) (Ins. Co.) \_\_\_\_\_  
Address: 2360 Battle Court, Marietta, GA 30064  
Subrogation: \_\_\_\_\_ Claim for Property damage \$ 721.51 Bodily Injury \$ \_\_\_\_\_  
Date of Notice: 11-24-99 Method: Written, proper X Improper \_\_\_\_\_  
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X  
Date of Occurrence 11-17-99 Place: 19 Clay Street, SE  
Department Public Works Division: Solid Waste Service  
Employee involved McHenry Sellers Disciplinary Action: No action taken

NATURE OF CLAIM: Claimant sustained property damage when he was involved in an automobile collision with a City of Atlanta vehicle. The driver of the city vehicle caused the collision as a result of improperly backing.

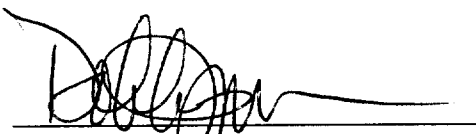
### INVESTIGATION:

Statements: City employee \_\_\_\_\_ Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral \_\_\_\_\_  
Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report X Other \_\_\_\_\_  
Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_  
Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

### BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial \_\_\_\_\_  
Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X  
City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_  
Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_  
Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DOBBS JORDAN

### RECOMMENDATION:

Pay \$ 721.51 Adverse \_\_\_\_\_ Account charged: 1A01 X 2J01 \_\_\_\_\_ 2H01 \_\_\_\_\_  
Claims Manager: \_\_\_\_\_ Concur/date \_\_\_\_\_  
Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

COUNCIL OF THE CITY OF ATLANTA  
MUNICIPAL CLERK

City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

RE: CLAIM FOR DAMAGES

Today's Date: 11/17/99  
ENTERED - 12-6-99 - SB  
99L0827 - DOBBS JORDAN

Jordan  
12/02/99  
Dm

Dear Municipal Clerk:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 721.51 property and/or \$ \_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of incident: 11/17/99 2. Time of Incident: 9:25 AM 3. Police called: X  
(month/day/year) Yes No

4. Location of incident (including street address): 19 Clay St (SE) Atl.

5. Name of your insurance company: State Farm Policy No. POO 9881-F24-11A

6. State what and how incident occurred: My truck was parked in front of 19 Clay St. with my ladders and walkboards on the ladder rack. The city truck turned into the driveway (which is shared with the apartment bldg. next door) at a high speed (the driveway is very steep) and hit a walkboard on my ladder rack, which resulted in the

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Ford F-150 1993 Evan T. Cooper  
(Make) (Year) (Tag Number) (Driver's Name)  
City vehicle: Container truck McHenry Seller Solid Waste Dept.  
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: THOMAS MAHAR 5217 Legendary Tarn (678) 445-0394  
(Name) (Address) (Telephone Number)

10. The acknowledgement of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Evan T Cooper  
Signature of Claimant

EVAN T. COOPER  
(Print Claimant's Name)

2360 BATTLE COURT  
(Address)

MARIETTA GA 30064  
(City, State and Zip Code)

(404) 672-1254 (770) 420-1930  
(Work Number) (Home Number)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 99L0827

\$ 721.51

IN CONSIDERATION of the sum of SEVEN HUNDRED TWENTY-ONE AND 51/100  
       DOLLARS, to be paid by the CITY OF ATLANTA, the future receipt of which is hereby acknowledged,  
I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever discharge said City,  
its officers and employees, including but not limited to EVAN T. COOPER from any and all claims,  
demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or on account  
of anything that has heretofore occurred, and particularly for or on account of Vehicle Damage


which occurred on or about the 17th day of November, 1999,

at or near 19 Clay Street SE.

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this instrument.

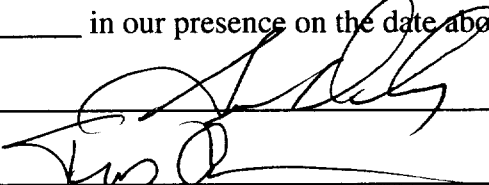
WITNESS my hand and seal this 7<sup>th</sup> day of JULY, 2000.

  
\_\_\_\_\_  
EVAN T. COOPER (LS)

\_\_\_\_\_  
(LS)

The above release was read and explained to, and signed by the said EVAN T. COOPER

\_\_\_\_\_ in our presence on the date above written.

  
\_\_\_\_\_  
WITNESSES

00-PC-1185

RCS# 2153  
8/07/00  
4:06 PM

Atlanta City Council

Regular Session

CONSENT 1

Pages 1-15 KP

Adopt

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

NV McCarty  
Y Starnes  
Y Bond  
Y Winslow

Y Dorsey  
Y Woolard  
Y Morris  
Y Muller

Y Moore  
Y Martin  
Y Maddox  
Y Boazman

Y Thomas  
B Emmons  
Y Alexander  
NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-O-1102  
00-R-1197  
00-R-1106  
00-R-1123  
00-R-0721

08/07/00 Council Meeting		
ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADOPTED ON CONSENT AGENDA	ITEMS ADVERSE ON CONSENT AGENDA
1. 00-O-1009 2. 00-O-1010 3. 00-O-1011 4. 00-O-1012 5. 00-O-1079 6. 00-O-0834 7. 00-O-1065 8. 00-O-1004 9. 00-O-1112 10. 00-R-1139 11. 00-R-1140 12. 00-R-1141 13. 00-R-1142 14. 00-R-1144 15. 00-R-1204 16. 00-R-1208 17. 00-R-1209 18. 00-R-1210 19. 00-R-1106 20. 00-R-1146 21. 00-R-1147 22. 00-R-1194 23. 00-R-1203 24. 00-R-1205 25. 00-R-1212 26. 00-R-1213 27. 99-R-1145 28. 99-R-1932 29. 00-R-1108 30. 00-R-1110 31. 00-R-1129 32. 00-R-1130 33. 00-R-1131 34. 00-R-1134 35. 00-R-1206 36. 00-R-1121 37. 00-R-0329 38. 00-R-1136 39. 00-R-1137 40. 00-R-1138	41. 00-R-1175 42. 00-R-1176 43. 00-R-1177 44. 00-R-1178 45. 00-R-1179 46. 00-R-1180 47. 00-R-1181 48. 00-R-1182 49. 00-R-1183 50. 00-R-1184 51. 00-R-1185 52. 00-R-1186 53. 00-R-1187 54. 00-R-1188 55. 00-R-1189 56. 00-R-1190 57. 00-R-1191 58. 00-R-1192 59. 00-R-1193 60. 00-R-1199 61. 00-R-1200 62. 00-R-1201 63. 00-R-1202	64. 00-R-1148 65. 00-R-1149 66. 00-R-1150 67. 00-R-1151 68. 00-R-1152 69. 00-R-1153 70. 00-R-1154 71. 00-R-1155 72. 00-R-1156 73. 00-R-1157 74. 00-R-1158 75. 00-R-1159 76. 00-R-1160 77. 00-R-1161 78. 00-R-1162 79. 00-R-1163 80. 00-R-1164 81. 00-R-1165 82. 00-R-1166 83. 00-R-1167 84. 00-R-1168 85. 00-R-1169 86. 00-R-1170 87. 00-R-1171 88. 00-R-1172 89. 00-R-1173 90. 00-R-1174